

23A02279

No. _____

**STATE COURT OF DEKALB COUNTY
GEORGIA, DEKALB COUNTY****Date Summons Issued and E-Filed**
5/23/2023**SUMMONS**~~/s/ Monique Roberts~~ __________
Deputy Clerk

Deposit Paid \$ _____

Laquanda Baxter_____
1020 Mainstreet Lake Dr. Stone Mountain, GA 30088-2348_____
Plaintiff's name and address**vs.**_____
Holman Transportation Risk Retention Group, Inc. c/o Registered Agent_____
Bradley Arant Boult Cummings, LLP 445 Dexter Ave. Suite 9075 Montgomery, AL 36104_____
Defendant's name and address**X JURY****TO THE ABOVE-NAMED DEFENDANT:**

You are hereby summoned and required to file with the Clerk of State Court, Suite 230, 2nd Floor, Administrative Tower, DeKalb County Courthouse, 556 N. McDonough Street, Decatur, Georgia 30030 and serve upon the plaintiff's attorney, to wit:

Graham Scofield Injury Lawyers

Name

691 John Wesley Dobbs Ave. NE Ste. C-04 Atlanta, GA 30312

Address

404-939-9470

940312

Phone Number_____
Georgia Bar No.

an **ANSWER** to the complaint which is herewith served upon you, within thirty (30) days after service upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. The answer or other responsive pleading can be filed via electronic filing through eFileGA via www.eFileGA.com or, if desired, at the e-filing public access terminal in the Clerk's Office at 556 N. McDonough Street, Decatur, Georgia 30030

Defendant's Attorney_____
Third Party Attorney_____
Address_____
Address_____
Phone No._____
Georgia Bar No._____
Phone No._____
Georgia Bar No.**TYPE OF SUIT**

- ☒ Personal Injury ☐ Products Liability
☐ Contract ☐ Medical Malpractice
☐ Legal Malpractice ☐ Product Liability
☐ Other

Principal \$ _____

Interest \$ _____

Atty Fees \$ _____

Access to the e-filing site and the rules is available at www.dekalbstatecourt.net**To indicate consent to e-service check the box below.**

☒ (Plaintiff consents to e-service pursuant to OCGA 9-11-5 (f). The email address for service appears in the complaint.

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DEKALB COUNTY, GA.
5/23/2023 2:39 PM
E-FILED

E-file summons1-2016

BY: Monique Roberts

Exhibit A

No. _____

**STATE COURT OF DEKALB COUNTY
GEORGIA, DEKALB COUNTY**

Date Summons Issued and E-Filed

5/23/2023

SUMMONS

~~/s/ Monique Roberts~~ _____

Deputy Clerk

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Laquanda Baxter

1020 Mainstreet Lake Dr. Stone Mountain, GA 30088-2348

Plaintiff's name and address

☒ **JURY**

vs.

Select Dedicated Solutions, LLC c/o Registered Agent

J. Hatcher Graham 303 Pheasant Ridge Warner Robins, GA 31088

Defendant's name and address

TO THE ABOVE-NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of State Court, Suite 230, 2nd Floor, Administrative Tower, DeKalb County Courthouse, 556 N. McDonough Street, Decatur, Georgia 30030 and serve upon the plaintiff's attorney, to wit:

Graham Scofield Injury Lawyers

Name

691 John Wesley Dobbs Ave. NE Ste. C-04 Atlanta, GA 30312

Address

404-939-9470

940312

Phone Number

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Defendant's Attorney

Third Party Attorney

Address

Address

Phone No.

Georgia Bar No.

Phone No.

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TYPE OF SUIT

- ☒ Personal Injury ☐ Products Liability
☐ Contract ☐ Medical Malpractice
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Principal \$ _____

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No. 23A02279

**STATE COURT OF DEKALB COUNTY
GEORGIA, DEKALB COUNTY****Date Summons Issued and E-Filed**

5/26/2023

SUMMONS

/s/ Camille Boknight

Deputy Clerk

Deposit Paid \$

Laquanda Baxter

1020 Mainstreet Lake Dr. Stone Mountain, GA 30088-2348

Plaintiff's name and address

[X] JURY**vs.**

Select Dedicated Solutions, LLC c/o Service of Process Agents, Inc.

Attn: John L. Husk, Esq. 2240 Gallows Rd. Vienna, VA 22182

Defendant's name and address

TO THE ABOVE-NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of State Court, Suite 230, 2nd Floor, Administrative Tower, DeKalb County Courthouse, 556 N. McDonough Street, Decatur, Georgia 30030 and serve upon the plaintiff's attorney, to wit:

Graham Scofield Injury Lawyers

Name

691 John Wesley Dobbs Ave. NE Ste. C-04 Atlanta, GA 30312

Address

404-884-0816

940312

Phone Number

Georgia Bar No.

an **ANSWER** to the complaint which is herewith served upon you, within thirty (30) days after service upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. The answer or other responsive pleading can be filed via electronic filing through eFileGA via www.eFileGA.com or, if desired, at the e-filing public access terminal in the Clerk's Office at 556 N. McDonough Street, Decatur, Georgia 30030

Defendant's Attorney

Third Party Attorney

Address

Address

Phone No.

Georgia Bar No.

Phone No.

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TYPE OF SUIT

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☐ Contract ☐ Medical Malpractice
☐ Legal Malpractice ☐ Product Liability
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Principal \$

Interest \$

Atty Fees \$

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STATE COURT OF
DEKALB COUNTY, GA.
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E-FILED
BY: Camille Boknight

Exhibit A

23A02279

No. _____

**STATE COURT OF DEKALB COUNTY
GEORGIA, DEKALB COUNTY****Date Summons Issued and E-Filed**

5/23/2023

SUMMONS_____
/s/ Monique Roberts_____
Deputy Clerk

Deposit Paid \$ _____

Laquanda Baxter_____
1020 Mainstreet Lake Dr. Stone Mountain, GA 30088-2348_____
Plaintiff's name and address**X** JURY**vs.**_____
Alejandro Chavez_____
12375 Mines Rd. Laredo, TX 78045_____
Defendant's name and address**TO THE ABOVE-NAMED DEFENDANT:**

You are hereby summoned and required to file with the Clerk of State Court, Suite 230, 2nd Floor, Administrative Tower, DeKalb County Courthouse, 556 N. McDonough Street, Decatur, Georgia 30030 and serve upon the plaintiff's attorney, to wit:

Graham Scofield Injury Lawyers

Name

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Address

404-939-9470

940312

Phone Number_____
Georgia Bar No.

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Defendant's Attorney_____
Third Party Attorney_____
Address_____
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STATE COURT OF
DEKALB COUNTY, GA.
E-file summons1-2016 5/23/2023 2:39 PM
E-FILED
BY: Monique Roberts

Exhibit A

**IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA**

LAQUANDA BAXTER,

Plaintiff,

vs.

**HOLMAN TRANSPORTATION RISK
RETENTION GROUP, INC.; SELECT
DEDICATED SOLUTIONS, LLC;
ALEJANDRO CHAVEZ, INDIVIDUALLY,
AND AS AN AGENT AND EMPLOYEE OF
SELECT DEDICATED SOLUTIONS, LLC;
and, XYZ ENTITIES #1-3,**

Defendants.

23A02279

CIVIL ACTION No.:

COMPLAINT FOR DAMAGES

COMES NOW LAQUANDA BAXTER (hereinafter “Plaintiff”) and files this Complaint against Defendants **HOLMAN TRANSPORTATION RISK RETENTION GROUP, INC.; SELECT DEDICATED SOLUTIONS, LLC; ALEJANDRO CHAVEZ, individually, and as an agent and employee of SELECT DEDICATED SOLUTIONS, LLC; and, XYZ ENTITIES #1-3** (hereinafter collectively “Defendants”) and shows this Court as follows:

JURISDICTIONAL STATEMENT

1.

Plaintiff is a resident and citizen of the State of Georgia and submits to the jurisdiction and venue of this Court.

2.

Defendant **HOLMAN TRANSPORTATION RISK RETENTION GROUP** is a foreign

STATE COURT OF
DEKALB COUNTY, GA.
5/23/2023 2:39 PM
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BY: Monique Roberts

Exhibit A

insurance company organized and existing under the laws of the State of Alabama with its principal place of business being located at 445 Dexter Ave. Suite 9075 Montgomery, AL 36104.

3.

Service may be made upon Defendant HOLMAN TRANSPORTATION RISK RETENTION GROUP by serving its registered agent, Bradley Arant Boult Commings, LLP located at 445 Dexter Ave. Suite 9075 Montgomery, AL 36104.

4.

Venue is proper as to Defendant HOLMAN TRANSPORTATION RISK RETENTION GROUP.

5.

Subject matter jurisdiction is proper in this Court as to Defendant HOLMAN TRANSPORTATION RISK RETENTION GROUP.

6.

Defendant SELECT DEDICATED SOLUTIONS, LLC is a non-resident interstate motor carrier organized and existing under the laws of the state of Texas, with its principal place of business being located at 12375 Mines Road Laredo, TX 78045.

7.

Defendant SELECT DEDICATED SOLUTIONS, LLC is registered in Georgia pursuant to O.C.G.A. § 46-7-16(a) of the Motor Carrier Code.

8.

Service may be made upon Defendant SELECT DEDICATED SOLUTIONS, LLC by

serving its registered agent J. Hatcher Graham at 303 Pheasant Ridge Warner Robins, GA 31088.

9.

Venue is proper as to Defendant SELECT DEDICATED SOLUTIONS, LLC.

10.

Subject matter jurisdiction is proper in this Court as to Defendant SELECT DEDICATED SOLUTIONS, LLC.

11.

Defendant ALEJANDRO CHAVEZ is an individual resident and citizen of Texas and may be served at his place of business located at 12375 Mines Rd. Laredo, TX 78045.

12.

Defendant CHAVEZ is subject to the jurisdiction of this Court.

13.

Venue is proper in this Court as to Defendant CHAVEZ.

14.

Subject matter jurisdiction is proper in this Court as to Defendant CHAVEZ.

15.

The identity of Defendants XYZ ENTITIES #1-3 are unknown to Plaintiff, but well known to Defendants.

16.

Defendants XYZ ENTITIES #1-3 are subject to the jurisdiction of this Court.

17.

Venue is proper in this Court as to Defendants XYZ ENTITIES #1-3.

18.

Subject matter jurisdiction is proper in this Court as to Defendants XYZ ENTITIES #1-3.

AGENCY

19.

At all times pertinent and relevant to the incidents described in this Complaint, Defendant CHAVEZ was acting as an agent or employee of Defendant SELECT DEDICATED SOLUTIONS, LLC and XYZ ENTITIES #1-3, and was acting within the scope of such agency or employment relationship with said Defendants, the principals.

20.

The acts and omissions of Defendant CHAVEZ as the agent or employee of Defendant SELECT DEDICATED SOLUTIONS, LLC and XYZ ENTITIES #1-3 are imputed to said Defendants as a matter of law.

VENUE

21.

Venue is proper in the State Court of DeKalb County Georgia because the subject collision occurred in DeKalb County Georgia, Plaintiff is a resident of DeKalb County Georgia, and there are no resident joint tortfeasors in this case. Additionally, venue as to Defendant Chavez would only be appropriate in DeKalb County. See O.C.G.A. § 9-10-93.

JOINT AND SEVERAL LIABILITY

22.

Defendants are jointly and severally liable for the acts and omissions alleged in this Complaint.

FACTUAL STATEMENT

23.

On February 6, 2022, Defendant CHAVEZ was driving a tractor-trailer on Interstate 285 northbound in Atlanta, Georgia, DeKalb County.

24.

Defendant CHAVEZ abruptly veered into Plaintiff's traffic lane and caused the subject motor vehicle collision.

25.

Defendant CHAVEZ was negligent in the operation and use of the tractor trailer he was driving at the time of the subject motor vehicle collision.

26.

Defendant CHAVEZ failed to exercise ordinary care in the operation of his tractor-trailer resulting in the subject motor vehicle collision.

27.

Defendant CHAVEZ was at fault for causing the subject collision.

28.

As a direct and proximate result of the subject incident, Plaintiff was seriously injured.

29.

Defendant CHAVEZ is liable for Plaintiff's damages that resulted from the subject incident.

COUNT ONE – NEGLIGENCE OF DEFENDANT CHAVEZ

30.

Defendant CHAVEZ, as the driver of a commercial vehicle, owed a duty to drive his tractor-trailer in a safe and reasonable manner; to maintain a proper lookout; to pay attention at all times to avoid driver distraction; to properly control his vehicle; to take proper evasive action when necessary; and, to exercise a higher general standard of care and skill than the average motor vehicle driver.

31.

Defendant CHAVEZ breached his duties to Plaintiff and, therefore, was negligent.

32.

The subject incident was directly and proximately caused by Defendant CHAVEZ's negligence by failing to maintain his lane, failing to properly merge into Plaintiff's traffic lane, and failing to signal his intention to merge into Plaintiff's traffic lane.

33.

DeKalb County Police Department officer Marteveus Favors issued a traffic citation to Defendant Chavez for violating O.C.G.A. § 40-6-123A at the time of the subject collision. Defendant Chavez pleaded guilty to that traffic citation on 3/31/22.

34.

Plaintiff was physically injured and has experienced physical and emotional pain and suffering as a direct and proximate result of the subject motor vehicle collision.

35.

Plaintiff will in the future continue to have physical injuries and will experience physical and emotional pain and suffering as a direct and proximate result of the subject motor vehicle collision.

36.

Plaintiff will continue to need medical treatment in the future as a direct and proximate result of the subject motor vehicle collision.

37.

Plaintiff has experienced and will continue to experience in the future great pain and suffering as a direct and proximate result of the subject motor vehicle collision.

38.

Plaintiff has incurred at least \$82,084.73 medical expenses as a direct and proximate result of the subject incident.

39.

Plaintiff will incur future medical expenses as a direct and proximate result of the subject motor vehicle collision.

40.

Plaintiff is entitled to an award of general damages from Defendant Chavez.

41.

Plaintiff is entitled to an award of special damages from Defendant Chavez.

42.

Plaintiff's injuries and damages resulting from the subject incident were directly and proximately caused by the negligence of Defendant Chavez.

COUNT TWO – NEGLIGENCE OF DEFENDANT SELECT DEDICATED SOLUTIONS, LLC

43.

The allegations contained in all paragraphs above are incorporated herein by reference as if set forth verbatim.

44.

At all relevant times, Defendant CHAVEZ was an employee and/or agent of Defendant SELECT DEDICATED SOLUTIONS, LLC and driving a commercial vehicle under the authority of Defendant SELECT DEDICATED SOLUTIONS, LLC.

45.

At all relevant times, Defendant CHAVEZ was acting within the course and scope of his employment/agency with Defendant SELECT DEDICATED SOLUTIONS, LLC.

46.

Under the principals of *respondeat superior*, actual or apparent agency, leasing liability, Defendant SELECT DEDICATED SOLUTIONS, LLC is vicariously liable for the negligent acts or omissions of Defendant CHAVEZ.

47.

Defendant SELECT DEDICATED SOLUTIONS, LLC is also independently negligent in its hiring, training, supervising, and managing of Defendant CHAVEZ; in failing to adhere to all state laws and regulations governing trucking companies; and, in failing to ensure that Defendant CHAVEZ adhered to said laws and regulations.

48.

Defendant SELECT DEDICATED SOLUTIONS, LLC is liable to Plaintiff for Plaintiff's injuries and damages resulting from the subject incident.

COUNT THREE – NEGLIGENCE OF DEFENDANTS XYZ ENTITIES #1-3

49.

The allegations contained in all paragraphs above are incorporated herein by reference as if set forth verbatim.

50.

At all relevant times, Defendant CHAVEZ was an employee and/or agent of Defendants XYZ ENTITIES #1-3, driving a commercial vehicle under the authority of XYZ ENTITIES #1-3.

51.

At all relevant times, Defendant CHAVEZ was acting within the course and scope of his employment/agency with Defendants XYZ ENTITIES #1-3.

52.

Under the principals of *respondeat superior*, actual or apparent agency, leasing liability, Defendants XYZ ENTITIES #1-3 are vicariously liable for the negligent acts or omissions of Defendant CHAVEZ.

53.

Defendants XYZ ENTITIES are also independently negligent in its hiring, training, supervising, and managing of Defendant CHAVEZ; in failing to adhere to all state laws and regulations governing trucking companies; and, in failing to ensure that Defendant CHAVEZ adhered to said laws and regulations.

54.

Defendants XYZ ENTITIES #1-3 are liable to Plaintiff for Plaintiff's injuries and damages resulting from the subject incident.

**COUNT FOUR – DIRECT ACTION AGAINST
HOLMAN TRANSPORTATION RISK RETENTION GROUP, INC.**

55.

The allegations contained in all paragraphs above are incorporated herein by reference as if set forth verbatim.

56.

Pursuant to O.C.G.A. § 40-2-140 and other applicable Georgia law, Defendant HOLMAN TRANSPORTATION RISK RETENTION GROUP, INC. is subject to a direct action as the insurer for Defendant SELECT DEDICATED SOLUTIONS, LLC.

57.

Defendant was the primary insurer of Defendant SELECT DEDICATED SOLUTIONS, LLC at the time of the subject incident and it issued a liability policy to comply with the filing requirements under Alabama law and Georgia law for interstate transportation.

58.

Defendant HOLMAN TRANSPORTATION RISK RETENTION GROUP, INC. is subject to the filing requirements outlined in O.C.G.A. § 40-2-140.

59.

All elements necessary to sue Defendant HOLMAN TRANSPORTATION RISK RETENTION GROUP, INC. under the Georgia direct action laws are met in this case.

60.

Defendant HOLMAN TRANSPORTATION RISK RETENTION GROUP, INC. is responsible for any judgment rendered against Defendant SELECT DEDICATED SOLUTIONS, LLC.

TRIAL BY JURY DEMANDED ON ALL COUNTS.

WHEREFORE, Plaintiff prays:

- a. That Summons issue requiring the above-named Defendants to answer each allegation of this Complaint within the time provided by law;
- b. That Plaintiff have judgment against the above-named Defendants in such amount to compensate Plaintiff for Plaintiff's past, present and future injuries and damages resulting from subject incident and Plaintiff's special damages;
- c. That all costs be cast against the above-named Defendants; and,
- d. For such other relief as this Court deems just and proper.

This 23rd day of May, 2023.

GRAHAM SCOFIELD INJURY LAWYERS

691 John Wesley Dobbs Ave. NE

Suite C-04

Atlanta, Georgia 30312

Telephone: (404) 939-9470

Facsimile: (800) 896-4504

Email: graham@atlinjurylawyers.com

/s/ Graham Scofield
Graham Scofield
Georgia Bar No. 940312
Attorney for Plaintiff

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